

UNITED STATE DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Eastern Division

Case No. 05-11622-MLW

OLGA A. SAHAN,
Plaintiff,

vs.

HOME DEPOT U.S.A., Inc.,
Defendant.

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**Sworn Statement of the Plaintiff Olga A. Sahan
Pursuant to Local Rule 26.1(B)**

I, Olga A. Sahan, the Plaintiff in the above-referenced matter, hereby submit my sworn statement pursuant to Local Rule 26.1(B), as follows:

1. Below is an itemization of my economic losses sustained up to the date of service of process on the Defendants:

Total Economic Damages as of service of process on August 11, 2005:

Unpaid Overtime Wages:

The following estimates of my unpaid overtime wages are based on my estimate of the hours I worked and my records of my rates of pay, and are subject to revision if discovery produces more accurate records or information.

Kitchen Designer	
August 2002 – April 13, 2003	\$13,608.00
(rate of pay - \$21.00 an hour)	
Department Supervisor of Design	
April 14, 2003 – February 16, 2005	<u>\$88,845.00</u>
(rates of pay from \$22.00 to \$24.00 an hour)	
Total unpaid overtime:	\$102,453.00*

* Unpaid Overtime Based on Paying Plaintiff Wages Equal to Male Colleagues:

If I were to prevail on my sex discrimination claims, the overtime amounts would be based on a rate of pay equal or comparable to my male colleagues.

Wage Differential and Failure to Promote Based on Sex:

The following differential in wages between what I was paid and what my male colleagues were paid is based on my estimate that my male colleagues were paid approximately \$30/hour while I was paid significantly less for performing the same jobs or comparable jobs and when I was not selected for promotion. These estimates are subject to revision upon discovery of documentation showing other rates of pay for those individuals and any more accurate records to reflect hours worked.

Kitchen Designer	
December 2000 – April 13, 2003	\$73,110.00
Department Supervisor of Design	
April 14, 2003 – February 16, 2005	<u>\$24,720.00</u>
Total wage differential:	\$97,830.00

TOTAL ECONOMIC DAMAGES:	\$200,283.00**
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2. I believe that the following individuals have discoverable information regarding my claims as alleged in my Complaint against Home Depot U.S.A., Inc., as well as information regarding my damages:
- (1) Plaintiff Olga A. Sahan. I am the Plaintiff in this action. I have personal knowledge of the facts alleged in my Complaint regarding Defendant's failure to pay me for overtime hours worked and Defendant's failure to pay me a comparable wage to my male colleagues, as well as personal knowledge of my claims for damages.
 - (2) Murat Sahan. Mr. Sahan is my husband. He has factual information regarding the allegations of discrimination and wage and hour violations alleged in my Complaint. He also has personal knowledge regarding my claims for damages.

Kitchen Designer:	\$ 19,440.00
Department Supervisor of Design:	\$114,975.00
Total unpaid overtime:	\$194,940.00

** This amount would be higher if I prevail on both my overtime and sex discrimination claims. Also, these amounts are subject to double damages under the Fair Labor Standards Act and up to triple damages under the state Wage Act.

The following individuals who worked at Home Depot's EXPO Design Center, 43 Middlesex Turnpike, Burlington, MA 01803 may have discoverable information regarding my claims of discrimination and violations of wage and hour laws, and may have information regarding my claims for damages.

The EXPO Burlington management team:

- (3) Bing Yeo, Store Manager, EXPO Burlington, Burlington, MA.
- (4) Tracy Talbot, former Project Assistant Store Manager, EXPO Burlington, Burlington, MA.
- (5) Jim Dilon, former Human Resources Manager, EXPO Burlington, Burlington, MA.
- (6) George Kay, District Manager, Northeast District, Burlington, MA
- (7) Joe Martins, Store Manager, EXPO Burlington, Burlington, MA.
- (8) Scott Chiras, former Assistant Manager, EXPO Burlington, Burlington, MA.
- (9) Mary Sinos, former Operations Assistant Manager, EXPO Burlington, Burlington, MA.
- (10) Michael Logan, former Assistant Manager, EXPO Burlington, Burlington, MA.
- (11) Robert Silvestri, former Kitchen Designer, Department Supervisor of Design, EXPO Burlington, Burlington, MA; former Assistant Store Manager, EXPO Braintree, Braintree, MA.

The EXPO Burlington Department Supervisor team:

- (12) Craig Sherman, former Department Supervisor of Installations, EXPO Burlington, Burlington, MA.
- (13) Zsolt Bene, Front End Supervisor, EXPO Burlington, Burlington, MA.
- (14) Dan Ryan, VTC Supervisor, EXPO Burlington, Burlington, MA.
- (15) Chris Silvestri, Kitchen Showroom Supervisor, EXPO Burlington, Burlington, MA.

- (16) Carl Duguere, Bath Showroom Supervisor, EXPO Burlington, Burlington, MA.
- (17) Ranya Szwed, former Kitchen Showroom Supervisor, and Project Assistant Store Manager, EXPO Burlington, Burlington, MA.
- (18) Corrine O'Neil, former Operations Supervisor, EXPO Burlington, Burlington, MA.
- (19) Marcel Dardati, Assistant Manager, EXPO Burlington, Burlington, MA.
- (20) Michele Heidebrecht, Décor Showroom Supervisor, EXPO Burlington, Burlington, MA
- (21) Mike Lahey, former Department Supervisor, currently employed by AAA Carpet, 891 Woburn Street, Wilmington, MA 01887, 978-694-9400

EXPO Burlington associates (* indicates that I believe that the person is no longer with EXPO. I have provided new business information if known):

- (22) Janet McFall
- (23) * Gerard "Buck" Christofells, 617-594-3340
- (24) * Chris StCyr, currently employed by Channel Building Construction, 617-594-5299
- (25) Dan Ryan
- (26) * Anne Marie Day, currently employed by Classic Cabinetry Limited, 607 Main Street, Stoneham, MA 02180, 781-438-8020
- (27) Concetta Vaudo
- (28) * Eileen Kollias, currently employed by Classic Cabinetry Limited, 607 Main Street, Stoneham, MA 02180, 781-438-8020
- (29) * Bonnie Montague, currently employed by Classic Cabinetry Limited, 607 Main Street, Stoneham, MA 02180, 781-438-8020
- (30) * Kerry Burke
- (31) * Joann Sibert, currently employed by Classic Cabinetry Limited,

607 Main Street, Stoneham, MA 02180, 781-438-8020

- (32) Karen Wagner
- (33) * Gary Westermarck
- (34) * Kimberly McGhee
- (35) * Karen Freda
- (36) Gertrude Wallis
- (37) Lisa Coutney
- (38) * Michael Firicano, currently employed by Carole Kitchen & Bath Design, 215 Salem Street, Woburn, MA, 01801
- (39) * Marissa Perez, currently employed by Classic Cabinetry Limited, 607 Main Street, Stoneham, MA 02180, 781-438-8020
- (40) * Katie Oldford
- (41) Annemarie DiFranco
- (42) Bill Cappella
- (43) Susana Hey
- (44) Joanne Morel
- (45) Janice Hamilton
- (46) Charee Breie
- (47) Andrea Bobroff
- (48) Daniel Davis
- (49) Jimmy Williams
- (50) Kathy Mckeon (phone operator)
- (51) Leslie Cotter
- (52) Richard Freeman

- (53) Deb Krieger
- (54) Rob Scribner
- (55) Linda Schauman
- (56) Nancy Allen (phone operator)
- (57) Kathy McGurl
- (58) Ed Doucette
- (59) Erick Johnson
- (60) Pat Doody
- (61) Joyce Patenaude
- (62) Carlos Castellanos
- (63) Terry Carson

I had regular contact with the following general contractors while I was in charge of the installation Department. They may have discoverable information regarding my claims of violations of wage and hour laws.

- (64) Gus Romano
- (65) Carl McDavitt, McDavitt Construction, Woburn, MA,
781-389-0197
- (66) Mark Kneeland, Channel Construction, Wilmington, MA
978-790-0483
- (67) Mike Palmisano, Palmisano Construction, Methuen, MA,
978-994-6778
- (68) Bruce Baker

The following vendors may also have discoverable information regarding my claims of violations of wage and hour laws.

- (69) Roger Mooney, The Brentwood Company, 212-564-8739
- (70) Thomas Anderson, 781-826-0404

(71) Lianne (last name unknown), 508-520-3779

(72) Bill Hurwitz, 484-695-1186

(73) Keith Venditelli, 401-949-3416

3. I have not obtained any statements from any opposing parties or any officers, directors or employees of any opposing parties regarding the subject matter of my claims.
4. Prior to filing my complaint in federal court, I filed a Charge of Discrimination against Defendant Home Depot U.S.A., Inc. with the Massachusetts Commission Against Discrimination and the Equal Employment Opportunity Commission, alleging violations of M.G.L. c. 151B §4(1), M.G.L. c. 149, §105A (Massachusetts Equal Pay Act), and Title VII of the Civil Rights Act of 1964. I also filed a claim with the Attorney General for Non-Payment of Wages on April 15, 2005.

Subscribed and sworn to this 20th day of June, 2006.

/s/ Olga A. Sahan

Olga A. Sahan, Plaintiff

Certificate of Service in Accordance With Local Rule 5.2(b)

I, Nina Joan Kimball, hereby certify that the above document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Nina Joan Kimball

Nina Joan Kimball, Esq.